

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY

**Minutes of a Board of Commissioners Regular Meeting
Tuesday, August 17, 2010**

**127 Roosevelt Avenue
Plainfield, New Jersey**

I. OPEN PUBLIC MEETINGS LAW (STATEMENT OF COMPLIANCE)

Commissioner Mitchell, Chairperson, called the meeting to order at 6:00 p.m. by reading the Statement of Compliance.

II. SALUTE TO THE FLAG

The Pledge of Allegiance was said by all.

III. ROLL CALL

Present

Commissioner Harold Mitchell
Commissioner David Beck
Commissioner Carol Ann Brokaw
Commissioner Alex Toliver
Alt. Commissioner Tracey Brown

Also Present

Mr. Eric Watson, Executive Director
Mr. David Ervin, Assistant Executive Director
Mr. James Perry, Chief Financial Officer
Mrs. Lana Carden, Manager of Human Resources
Mr. Demetrice Miles, Board Attorney
Mrs. Roslyn Mathis, Board Secretary
Mr. Mike Dziubeck, CME Associates
Staff and Public

Alt. Commissioner Eugene Dudley absent Mr. Duane Young, Comptroller. Absent

IV. APPROVAL OF MINUTES (7/13/10 Regular Board Meeting Minutes)

There was a change in the minutes that was discovered at the Committee Meeting. Commissioner Brokaw moved the minutes be approved with that change, seconded by Commissioner Toliver. The motion carried, on a roll-call vote, with five members in favor and none opposed. On page 3 of the July 13, 2010 Regular Meeting Minutes, Item C, the third line down should say "Commissioner Mitchell inquired if the PMUA received a deduction."

RECORDED VOTE

7/13/10 Regular Meeting Minutes

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

V. COMMUNICATIONS

Mr. Watson stated that the only communication is pretty much visible and that is they had water damage in the building over the weekend. The waterline in the first floor women's restroom broke. They are working quickly to get it repaired and back on line.

VI. REPORT OF COMMITTEES

None.

VII. EXECUTIVE DIRECTOR'S REPORT**A. Attorney's Report**

None.

B. Finance Report and Bills List Approval

Mr. Perry stated that before they go into the Finance Report and bills list approval, he wanted to put on the record that July and August ratification and bills list include \$793,000 in salaries and wages; health benefits \$133,000; disposal fees \$336,000; vehicle maintenance \$53,000; and fuel \$23,000. That takes up about 85-86% of the Authority's total expenditures during that period of time.

The Finance Report is on the blue sheet. They are going forward at a good pace; everything is running according to budget or better.

Commissioner Brokaw asked if they had a tax lien sale. Mr. Perry replied yes. Commissioner Brokaw asked if he knew what the revenues were for that sale. Mr. Perry replied that it started out about \$1,500,000 and by the time they got through the six weeks of mailings, notices and announcements about \$700,000 went to tax sales and they collected all but about \$32,000 and those were either bankruptcies or municipal liens.

Mr. Watson added a point of interest is that \$700,000 is quite a substantial amount of money and under the old system of private haulers that garbage would not have been picked up. It would have been dumped all over the city. That's what happened with the Housing Authority and their two roll-offs; a particular contractor didn't get payment, they brought in bulldozers, turned it over, took the containers out and left the garbage. Talking about shared services, that's how they can continue to collect the garbage and that's how they got rid of the eye sore they had about 16 years ago.

Commissioner Mitchell asked the money that is owed to the PMUA the Housing Authority has got to pick that up, is that correct. Mr. Watson replied yes; \$6,000 plus an additional two roll-offs that had to be put out there to pick up the garbage the private guys dumped out of the containers. The Commissioners will receive a report as soon as it's ready.

Mr. Miles presented resolution #68-2010 authorizing the payment of bills. Commissioner Brokaw moved, seconded by Alt. Commissioner Brown, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #68-2010 Payment of Bills

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

C. Resolution ratifying temporary use of sewer R&R funds for the city sewer lease payment

Mr. Perry indicated this is something that had been discussed a couple of months ago. The use of the R&R funds (Replacement and Reserve) to pay the City on a timely basis. Those funds will be replaced as soon as the third and fourth quarter billing comes in.

Just so it is clear for the record, Commissioner Brokaw asked if those funds were taken from the sewer reserve to pay the City pursuant to the Interlocal Agreement. Mr. Perry replied that is correct. Commissioner Brokaw asked consequently the PMUA expects that to be repaid to the reserves when the Authority collects sufficient funds in the third or fourth quarter. Mr. Perry replied that is correct.

Mr. Miles presented **resolution #69-2010 ratifying temporary utilization of temporary funds from the Sewer Renewal and Replacement Fund**. Commissioner Toliver moved, seconded by Alt. Commissioner Brown, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #69-2010 Sewer R&R Funds**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

D. Resolution ratifying partial interest credit to United Plainfield Housing for early payment

Mr. Perry indicated this issue goes back to the beginning of the Authority regarding what meters were the United Plainfield Housing Authority's and what wasn't theirs. They have gone through several engineering studies and have finally come to a form of a settlement. A couple of years ago the United Plainfield Housing owed the PMUA about \$178,000. There was negotiations back and forth, a contract signed, and about a month or two ago the United Plainfield Housing representatives came in and said how about they negotiate on the interest they have collected throughout the years and asked if the PMUA would give them a credit for paying the \$178,000 up front. It was a good deal since the statutory interest was already in the amount.

Mr. Miles presented **resolution #70-2010 ratifying payment of settlement agreement with the United Plainfield Housing Authority**. Commissioner Brokaw moved, seconded by Commissioner Toliver, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #70-2010 Settlement Agreement with the United Plainfield Housing Authority**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

E. Resolution authorizing renewal of a professional service contract for special employment counsel

Mr. Watson stated this concerns the Authority's labor counsel, Edwards Angell Palmer and Dodge, LLP. This is going on their third year with the PMUA and they are asking for authorization to renew the contract with Edwards Angell Palmer and Dodge, LLP.

Mr. Miles presented resolution #71-2010 authorizing the award of a contract for special legal services. Commissioner Toliver moved, seconded by Alt. Commissioner Brown, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #71-2010 Contract with Edwards Angell Palmer and Dodge, LLP Labor Counsel**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

F. Resolution authorizing a "services" contract agreement for Transfer Station weigh scale repair and maintenance

Mr. Ervin indicated that they need some work done on their scale at the Transfer Station. They sought proposals and they are asking for authorization to utilize a contract with Gerhart Scale Corporation. Mr. Miles presented **resolution #72-2010 authorizing the award of a contract for the Transfer Station scale repair with Gerhart Scale Corporation.** Commissioner Toliver moved, seconded by Commissioner Brokaw, approval of the resolution. Commissioner Beck had a question. Number one; there is a significant difference on the lids assuming that the material costs are a significant portion. Do they have a spec or something on those lids in terms of gauge or whatever that these are equivalent? Mr. Kearney replied that Gerhart can provide all necessary information relevant to the competitor's material as well as the material they intend on using to repair the scales. Commissioner Beck asked if there was a spec that the two entities were quoting on. Mr. Kearney replied there wasn't a spec on the type of material, but the type of work to be done that they bid on. Commissioner Beck asked if these two are replacing the deck lids, he assumed those are the large plates. Mr. Kearney replied yes, the large plates and there are connecting plates between the scales and there are cups the lids rest on; the cups have rotted away and causing major wear and tear. Mr. Ervin stated that specifications on the thickness of the deck would be required to match what's there. Commissioner Beck stated hopefully they will double check that; there's a huge difference unless there's some other obscure reason in the bidding process. Item one raises a red flag for him.

Commissioner Toliver asked if they looked for others other than Gerhart. Mr. Kearney replied there were three quotes submitted for the project. Commissioner Toliver indicated he did know something about the scales and basically it's the type of metal that they put in as far as the aluminum, etc., not the thickness always because that usually comes up to par. Mr. Kearney stated that there was a difference in total price because one of the companies bidding did not bid on everything. One company bid only on one section, the other two bid on the entire work.

Mr. Watson didn't think it was a major difference, but they will certainly take a look at it.

After the discussion, the motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #72-2010 Contract with Gerhart Scale Corporation**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

G. Resolution authorizing a "services" contract agreement for emergency trucking services

Mr. Ervin stated that they have two used tractor trailers and sometimes they have a problem with them. This is an agreement that will allow them to have backup tractor trailer services for their operations.

Mr. Miles presented resolution #73-2010 authorizing a contract for heavy duty hauling on an emergency basis with Di-Lex Trucking. Commissioner Beck moved, seconded by Alt. Commissioner Brown, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #73-2010 Contract with Di-Lex Trucking**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

H. Resolution authorizing a contract for sanitary sewer system emergency repairs

Mr. Ervin stated that they have an emergency sanitary sewer repair job out at Richmond Street. The City is presently paving that street. The PMUA has previously had a problem out there, apparently it is corroded at the bottom of the pipe and if they don't act now they won't be able to open the street for about five years and will be required to do the repaving. The Authority felt this is an ideal time to go in and get their job done. They had the engineers to do a design and the Authority is looking to negotiate with the contractors that are already on site. The engineer's estimate is around \$212,000.

Commissioner Mitchell felt this was a good opportunity since the contractors are already out there working and digging up the street.

Mr. Ervin indicated they had looked at other options such as slip lining, but those weren't available. They have to dig a new trench because this is so close to the PARSA line.

Mr. Miles presented **resolution #74-2010 authorizing a contract for a sanitary sewer and emergency repair services with Crossroads Construction**. Commissioner Brokaw moved, seconded by Commissioner Beck, approval of the resolution. Commissioner Toliver wanted to know when they proposed the job would be finished. Mr. Ervin replied that the Authority indicated to the City that they felt they would be able to do a design in a couple of weeks and complete it in about four weeks. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #74-2010 Contract with Crossroads Construction

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

I. Resolution authorizing a contract for driveway improvements at Cottage Place

Mr. Watson stated that they are in need of improving the operations at the Cottage Place facility by installing a concrete pad at the rear of the garage and the rear entry to the yard will be paved making it much easier and more convenient for the trucks to come and go especially in bad weather. They went out for quotes and would like to award the contract to Robinson Paving & Construction, LLC.

Mr. Miles presented resolution #75-2010 authorizing award of a contract for paving and construction to Robinson Paving & Construction, LLC. Alt. Commissioner Brown moved, seconded by Commissioner Beck, approval of the resolution. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE

Resolution #75-2010 Award of Contract to Robinson Paving & Construction, LLC

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

J. Resolution authorizing a change in time for board meetings

Mr. Watson indicated this resolution is to change the time for all board meetings going forward for the rest of the year to 6 p.m.

Mr. Miles presented resolution #76-2010 to adopt a revised meeting schedule for 2010 and part of 2011. Commissioner Toliver moved, seconded by Commissioner Beck, approval of the resolution. Commissioner Beck felt for the record the public would be interested in the rationale for the change. Mr. Watson replied that it takes less time for the staff to prepare for the meeting and 6 p.m. is a reasonable hour to start a meeting. The motion carried, on a roll-call vote, with five members in favor and none opposed.

RECORDED VOTE**Resolution #76-2010 Revised Meeting Schedule**

	YES	NO	ABSTAIN	PRESENT NOT VOTING	NOT PRESENT
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
<u>Alternate</u> Rev. Tracey Brown	X				
<u>Alternate</u> Eugene Dudley					X

VIII. UNFINISHED BUSINESS

Commissioner Beck stated that he is sure several people saw this new technology that American Water is instituting where they run a machine through the pipe and it shows the condition and then they run the machine that relines it -- big splash in the Star Ledger. (Commissioner Beck wanted it noted his statement was dripping with sarcasm.)

IX. NEW BUSINESS

None.

X. PUBLIC HEARING

Commissioner Mitchell stated they have come to the public portion of the meeting. Anyone that desires to speak, please stand up and give your name and address and you will be given two minutes.

Commissioner Brokaw moved, seconded by Commissioner Brown and unanimously approved by the Board, to adjourn the meeting at 6:48 p.m.

Recorded by:

Roslyn Mathis, Board Secretary